



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,297	10/03/2003	Michael John Sykes	032881-004	9662

21839 7590 05/23/2006

BUCHANAN INGERSOLL PC
(INCLUDING BURNS, DOANE, SWECKER & MATHIS)
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

EXAMINER

VEILLARD, JACQUES

ART UNIT	PAPER NUMBER
----------	--------------

2165

DATE MAILED: 05/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/677,297

Applicant(s)

SYKES ET AL.

Examiner

Jacques Veillard

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-71 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-71 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/16/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the applicant's communication filed on October 03, 2003.
2. The preliminary amendment filed on October 03, 2003 has been entered as to the merits.
3. Claims 1-71 are pending and presented for examination.

Priority

4. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

5. The information disclosure statement (IDS) submitted on November 16, 2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, it has placed in the application file. The information referred to therein has been considered as to the merits.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 2, 3, 16, 17, 30, 31, 58, and 59 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "said database" in 2.

Claim 16 recites the limitation "said database" in 3.

Claim 30 recites the limitation "said database" in 3.

Claim 58 recites the limitation "said database" in 3.

There is insufficient antecedent basis for this limitation in the claim.

As per claims 3, 17, 31, and 59, they are rejected under the same analysis in virtue to the dependency of their base claim.

Claim Rejections - 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. Claims 29-42 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, specifically directed towards a program, per se.

Claims 29-42 recite a computer program product containing computer program code means for providing an adaptive user interface to a data repository. It appears that the computer program is a program se per or software per se, which is not intended to be limited to any particular programming language and implementation thereof. The claims as written and taken as a whole are directed to a mere program listing, i.e., to only its description or expression, which can be written on a piece of paper. Therefore, to be statutory the claims must be embodied in computer-readable medium. However, claims 29-42 as written are not embodied on a computer-readable medium needed to realize the program's functionality.

Therefore, they are rejected under 35 U.S.C. 101 as being drawn to non-statutory subject matter.

10. To expedite a complete examination of the instant application, the claims rejected under 35 U. S. C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of applicant amending the claims to place them within the four statutory categories of invention.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosensteel et al. (U. S. Pat. No. 6,167,405) in view of Fenton et al. (U. S. Pat. No. 6,990,498).

As per claims 1, 15, and 29, Rosensteel et al. disclose a method and system for facilitating creation of warehouse requests by automatically populating a data warehouse system wherein a repository tool is used for storing a number of objects such as source and target databases (See Rosensteel et al. Title, abstract, and col.2, line 63 through col.3, line 10). In particular, Rosensteel et al. disclose the claimed limitation of, providing a data repository, said data repository having associated meta-data (See Rosensteel et al. Fig.1 in conjunction with element 15 and col.4, lines 60-64).

It is noted, however, Rosensteel et al. did not specifically disclose the claimed limitation of, dynamically generating said user interface having interface elements that are dependent upon said meta data, operation of said interface controlled by events that also are dependent upon data in said data repository and said meta-data. On the other hand, Fenton et al. achieved this claimed

Art Unit: 2165

feature by providing a dynamic graphical index website content having interface elements and meta-data (See Fenton et al. Abstract, col.3, lines 4-14; col.11, lines 31-55).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the teachings of Rosensteel et al. with the dynamic graphical index of website content taught by Fenton et al. The motivation being to have enhanced the system of Rosensteel et al. by allowing it to search and display the information about meta-data content available on the website which enables a user to user for content according to the information presented graphically (See Fenton et al. col.1, lines 64-67).

As per claims 43 and 57, most the limitations of these claims have already been discussed in the rejection of claims 1, 15 and 29. Therefore, they are rejected on similar grounds corresponding to the arguments given to the rejected claims 1, 15, and 29 above. In addition, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations of, storage unit for storing data, a processing unit coupled to said storage unit and a server (See Fenton et al. col.17, lines 37-46; col.18, lines 22-36).

As per claims 2, 16, 30, and 58, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, wherein said generating step comprises the step of checking said data repository to ensure said database has associated meta-data, said meta-data defining relationships in said data repository (See Rosensteel et al. col.3, line 62 through col.3, line 2).

As per claims 3, 17, 31, 46, and 59, the combination of Rosensteel et al. and Fenton et al.,

Art Unit: 2165

as combined, disclose the limitations, wherein said generating step further comprises the step of building a menu as a tree object using said meta-data, levels in said tree being built from said meta-data (See Fenton et al. Figs 2 and 3, col.1, lines 36-44; col.7, lines 58-64).

As per claims 4, 18, 32, 47, and 60, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, further comprising the step of accessing said user interface using a browser (See Fenton et al. col.2, lines 2-3; Fig.8, col.15, lines 4-18).

As per claims 5, 19, 33, 48, and 61, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, further comprising the step of generating web pages for delivery to said browser to provide said user interface (See Fenton et al. col.2, lines 2-11; col.4, lines 10-60).

As per claims 6, 20, 34, 49, and 62, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, wherein said interface elements comprise a main menu, said main menu being an expandable, hierarchically structured object (See Fenton et al. Figs 2 and 3; col.14, line57 through col.15, line37).

As per claims 7, 21, 35, 50, and 63, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, further comprising the step of building said main menu dependent upon said meta data (See Fenton et al. Figs 2 and 3; col.14, line57 through col.15, line37).

As per claims 8, 22, 36, 51, and 64, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, wherein said meta-data comprises any one or more of the following: sort order, display name, hierarchy, table ID, target object, navigation URL, and initial expansion (See Fenton et al. col.3, lines 4-14; col.17, lines 13-25).

As per claims 9, 23, 37, 52, and 65, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, further comprising the step of invoking a search screen, a list screen or a detail page if a menu item is selected (See Fenton et al. col.13, line 47 through col.14, line42).

As per claims 10, 24, 38, 53, and 66, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, further comprising the steps of automatically generating and displaying search and navigation elements of said user interface (See Fenton et al. col.13, line 47 through col.14, line 42).

As per claims 11, 25, 39, 54, and 67, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, further comprising the step of providing at least one parameter pointing at said data repository to dynamically generate said user interface (See Rosensteel et al. col.7, lines 1-10).

As per claims 12, 26, 40, 55, and 68, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, further comprising the step of providing a universal

Art Unit: 2165

resource locator (URL) to a script location to run said user interface with said data repository as a parameter (See Fenton et al. col.5, lines 3-57).

As per claims 13, 27, 41, 56, and 69, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, further comprising the steps of: providing another data repository, said other data repository having associated meta-data (See Rosensteel et al. Fig.1 in conjunction with element 15 and col.4, lines 60-64); and dynamically generating said user interface having different interface elements that are dependent upon said meta data of said other data repository, operation of said interface controlled by events that also are dependent upon data in said other data repository and said meta-data (See Fenton et al. Abstract, col.3, lines 4-14; col.11, lines 31-55).

As per claims 14, 28, 42, 70, and 71, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, wherein said data repository is derived from a plurality of different database or transaction systems (See Rosensteel et al. Fig.1a in conjunction with elements 18 and 20 and col.4, lines 39-52).

As per claim 44, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, wherein said data set satisfies a specified framework of said adaptive interface (See Rosensteel et al. col.3, lines 32-38; col.8, lines 50-55, and col.11, line 58 through col.12, line 2).

As per claim 45, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, wherein said meta-data defines relationships in said data repository (See Rosensteel et al. col.3, lines 23-32, and col.5, lines 28-41, lines 56-62).

Other Prior Art Made Of Record

13. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. U.S. patents and U.S. patent application publications will not be supplied with Office actions. Examiners advises the Applicant that the cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site (www.uspto.gov), from the Office of Public Records and from commercial sources. For the use of the Office's PAIR system, Applicants may refer to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197.

Points Of Contact

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques Veillard whose telephone number is (571) 272-4086. The examiner can normally be reached on Mon. to Fri. from 9 AM to 4:30 PM, alt. Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272- 4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Art Unit: 2165

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J.V.
J.V.

Jacques Veillard
Patent Examiner TC 2100

May 18, 2006


OWEN ROBINSON
PATENT EXAMINER